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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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AMBER A. FOSTER,

Plaintiff,

v.

STATE OF NEVADA, *et al.*,

Defendants.

Case No. 2:19-cv-00548-GMN-CWH

ORDER

**I. DISCUSSION**

Plaintiff, who is a prisoner in the custody of the Florence McClure Women's Correctional Center, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and has filed an application to proceed *in forma pauperis*. (ECF No. 1, 1-1).

Plaintiff's application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate signed by the proper official. Plaintiff has not submitted a properly executed financial certificate signed by the proper official and has not filed an inmate account statement. (See ECF No. 1). Therefore, the *in forma pauperis* application is denied without prejudice. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of his

1 application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this  
2 action. If Plaintiff chooses to file a new application to proceed *in forma pauperis*, she  
3 must file a fully complete application to proceed *in forma pauperis* with the required  
4 financial documents.

5 **II. CONCLUSION**

6 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed  
7 *in forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

8 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
9 approved form application to proceed *in forma pauperis* by a prisoner, as well as the  
10 document entitled information and instructions for filing an *in forma pauperis* application.

11 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
12 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on  
13 the correct form with both an inmate account statement for the past six months and a  
14 properly executed financial certificate signed by the proper official, in compliance with 28  
15 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the  
16 \$350 filing fee and the \$50 administrative fee).

17 IT IS FURTHER ORDERED that failure to comply with this order may result in a  
18 recommendation that the case be dismissed without prejudice.

19 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint  
20 (ECF No. 1-1) but must not file it at this time.

21 DATED: April 5, 2019

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UNITED STATES MAGISTRATE JUDGE